DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

SUSAN MILLER, **Plaintiff,** **v.** **VIRGIN ISLANDS HOUSING AUTHORITY and GOVERNMENT OF THE VIRGIN ISLANDS DEPARTMENT OF POLICE,** **Defendants.**	**1998-CV-0089**

TO: Lee J. Rohn, Esq.
Anna H. Paiewonsky, Esq.
Richard Schrader, Jr., Esq., AAG

ORDER REGARDING DEFENDANT VIRGIN ISLANDS HOUSING AUTHORITY'S MOTION IN LIMINE, PLAINTIFF'S MOTION TO COMPEL, GOVERNMENT OF THE VIRGIN ISLANDS' MOTION OF [SIC] EXTENSION OF TIME, AND DEFENDANT VIHA'S MOTION FOR EXTENSION OF TIME

THIS MATTER came before the Court upon Defendant Virgin Islands Housing Authority's Motion in Limine (Docket No. 229); Plaintiff's Motion to Compel the Defendants to Provide the Plaintiff with Their Portion of the Joint Final Pretrial Order (Docket No. 235), Government of the Virgin Islands' Motion of [sic] Extension of Time (Docket No. 236), and Defendant VIHA's Motion For Extension of Time (Docket No. 237), to which Plaintiff filed an opposition.

Defendant Virgin Islands Housing Authority seeks sanctions for Plaintiff's failure to serve her portion of the joint final pretrial order to Defendants by the Court-ordered deadline of April 2, 2007, in its Motion in Limine. Plaintiff filed notice of service of her portion of the joint final pretrial statement on April 8, 2007. Beyond a general statement of prejudice, said Defendant fails to identify with any specificity how it has been prejudiced by Plaintiff's delay of six (6) days. Consequently, the Court will deny said motion.

The record reflects that Defendant Virgin Islands Housing Authority filed a notice of service of its portion of the joint final pretrial order on June 11, 2007 (Docket No. 243). In view of such service, Plaintiff's Motion to Compel the Defendants to Provide the Plaintiff with Their Portion of the Joint Final Pretrial Order is moot relative to said Defendant. Similarly, the service of said Defendant's portion of the joint final pretrial order renders said Defendant's Motion For Extension of Time moot.

However, the record is void of any notice of service of Defendant Government of the Virgin Islands' portion of the joint final pretrial order. Thus, the Court will grant both the government's motion to extend the time and Plaintiff's motion to compel with respect to Defendant Government of the Virgin Islands.

Accordingly, it is now hereby **ORDERED**:

1. Defendant Virgin Islands Housing Authority's Motion in Limine (Docket No. 229) is **DENIED**.

2. Plaintiff's Motion to Compel the Defendants to Provide the Plaintiff with Their Portion of the Joint Final Pretrial Order (Docket No. 235) is **GRANTED IN PART AND DENIED IN PART**. Said Motion is **DENIED AS MOOT** with respect to Defendant Virgin Islands Housing Authority and **GRANTED** with respect to Defendant Government of the Virgin Islands.

3. Government of the Virgin Islands' Motion of [sic] Extension of Time (Docket No. 236) is **GRANTED**.

4. In the event it has not already done so, Defendant Government of the Virgin Islands shall serve counsel for Plaintiff with its portion of the joint final pretrial order **on or before June 27, 2007**.

5. Defendant VIHA's Motion For Extension of Time (Docket No. 237) is **DENIED AS MOOT**.

6. The parties shall file the proposed joint final pretrial order with the Court **on or before July 9, 2007**.

ENTER:

Dated: June 19, 2007

/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE